IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

W P.(C).No.32088 of 2007(T)

PETITIONER:

GEORGE M.PHILIP,
ST.GEORGE GRANITES,
MATTAMTHARAPADIKKAL HOUSE,
PARAMPUZHA, KOTTAYAM.

BY ADV. SRI.MATHEW JOHN
SRI.AJEESH K.SASI

RESPONDENTS:

1. **THE INTELLIGENCE OFFICER,**
SQUAD NO.1, COMMERCIAL TAXES,
KOTTAYAM P.O., KOTTAYAM – 1.

2. **THE DEPUTY COMMISSIONER, (APPEALS)**
COMMERCIAL TAXES, KOLLAM.

3. **DEPUTY TAHSILDAR, (RR)**
KOTTAYAM P.O., KOTTAYAM – 1.

BY GOVT. PLEADER SRI.K.P. PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 32088 OF 2007 T
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Dated this the 29th October, 2007

J U D G M E N T

Against Ext.P1 order levying penalty, the petitioner filed a revision before the 2nd respondent. Revision was belatedly filed and hence Ext.P3 application for condonation of delay and Ext.P4 application for early hearing also have been filed. It is submitted that orders have not been passed on these interlocutory applications. While so, revenue recovery proceedings have been initiated as per Exts.P5 and P5 (a). It is challenging Exts. P5 and P5(a) that this writ petition has been filed.

2. Now that a revision has been filed, although belatedly, I am not inclined to consider the merits of the contentions that are raised by the writ petitioner. Therefore, I dispose of this writ petition directing that the 2nd respondent shall consider Ext. P3 application for condonation of delay and pass orders. In the meanwhile petitioner may file an application for

stay before the 2nd respondent which will also be considered and orders passed. In order to enable the petitioner to seek orders from the 2nd respondent himself I direct that further proceedings pursuant to Exts. P5 and P5(a) will be deferred for a period of 3 weeks from today.

ANTONY DOMINIC
JUDGE

jan/-